

21 JUN 22 PM 3: 03

CLERK, DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY \_\_\_\_\_  
JUL 19 1964

~~~~~

CAUSE NO. 1:16-CV-233-LY

www

## ORDER

Before the court are Plaintiff's Motion for Attorneys' Fees filed June 18, 2021 (Doc. #139); Defendants' Opposed Motion for Extension of Time to File Objections to Bill of Costs and Motion for Attorney's Fees filed June 9, 2021 (Doc. #135); and Plaintiff's Brief in Opposition to Motion to Stay filed June 16, 2021 (Doc. #137). On May 27, 2021, Defendants filed a Notice of Appeal to the United States Court of Appeals for the Fifth Circuit in this cause (Doc. #131). In light of the pending appeal, the court finds the motions for attorneys' fees and costs are prematurely filed.

**IT IS THEREFORE ORDERED** that Plaintiff's Motion for Attorneys' Fees filed June 18, 2021 (Doc. #139) is **DISMISSED WITHOUT PREJUDICE** to refiling following the Fifth Circuit's determination on the appeal in this cause.

**IT IS FURTHER ORDERED** that Defendants' Opposed Motion for Extension of Time to File Objections to Bill of Costs and Motion for Attorney's Fees filed June 9, 2021 (Doc. #135) is **GRANTED IN PART TO THE FOLLOWING EXTENT:** Defendants objections to Plaintiff's Bill of Costs filed May 18, 2021 (Doc. #129) shall be filed within 30 days after the exhaustion of all

appeals in this matter. Defendants' Motion for Extension of Time to File Objections to Motion for Attorney's Fees is **DISMISSED**.

SIGNED this 22nd of June, 2021.

  
LEE YEAKEL  
UNITED STATES DISTRICT JUDGE